



# USER'S GUIDE TO REQUESTS FOR GROWTH MANAGEMENT - ALLOCATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

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*Promoting the Wise Use of Land • Helping to Build Great Communities*

## **WHO MUST APPLY FOR AN ALLOCATION UNDER THE GROWTH MANAGEMENT ORDINANCE?**

The County Board of Supervisors (BOS) adopted an ordinance which regulates construction of new residences in the county. Anyone wishing to construct most types of new dwelling units must apply for an allocation. On May 23, 2006 the BOS adopted some changes which became effective July 1, 2006 and are included herein. On August 12, 2008 the BOS adopted some changes which became effective September 11, 2008 and are included herein. There are 1,100 dwelling units available county-wide for Fiscal Year 2008-2009 based on a 2.3 % growth rate.

## **WHAT IS THE DIFFERENCE BETWEEN AN ALLOCATION FOR WAITING LIST AND AN ALLOCATION WITH PERMIT?**

On August 12, 2008 the BOS adopted some simplification updates which became effective September 11, 2008. One of the updates was the deletion of the term "allotment" and expansion of the term "allocation". The revised definition of "allocation" now describes both of the situations our customers encounter: 1) no dwelling units are available and an allocation request is submitted to get on a waiting list; for example, the Los Osos moratorium area and County Service Area 10A in Cayucos, or 2) dwelling units are available and an allocation request is submitted concurrently with a building permit. If the permit application is complete, the construction permit will be accepted for processing at that time.

## **ARE THERE ANY EXEMPTIONS?**

Yes, certain types of residential development are exempt from the process. Replacing a legally established house, low and moderate income housing as defined by Government Code Section 50093, projects located within subdivisions

created by the recordation of a vested map, secondary units (granny units) and farm support quarters located outside of the Nipomo mesa are all exempt from the allocation process. All other residential development requests (including farm support quarters on the Nipomo mesa & caretaker quarters) must apply for an allocation.

## **ALLOCATION INFORMATION UPDATES**

The current status and availability of allocations can be viewed on our department website at [www.sloplanning.org](http://www.sloplanning.org) (under the heading Property Uses and Development) or by calling (805) 781-4166. The information is updated on a weekly basis each Friday. Please note that because we receive allocation requests on a daily basis the weekly update is subject to change.

## **HOW DO I APPLY FOR AN ALLOCATION?**

To process an allocation concurrently with a building permit, a ***"Request for Allocation"*** application must be completed and submitted along with your construction permit application and full set of building plans. A \$91.00 non-refundable fee must be submitted with each application for a new proposed residential unit. Multi-family projects on the same property may use one allocation form with a one time fee of \$91.00.

An allocation request must be preceded by any required discretionary permit review such as a tentative tract map or a conditional use permit.

To process an allocation to be placed on a waiting list, a ***"Request for Allocation"*** application must be completed and submitted. A \$591.00 non-refundable fee must be submitted with the application for each new proposed residential unit. Non-refundable fees for multi-family and residential unit ownership projects are \$91 + \$500 per unit. When your allocation is

## **HOW DO I APPLY FOR AN ALLOCATION?** **(continued)**

selected \$500.00 of the \$591.00 fee will be applied toward the cost of your construction permit.

The fees must be submitted in the form of check, cash, cashier's check or money order made payable to the County of San Luis Obispo.

An allocation application can be made without full construction drawings in order to get on the waiting list for any area where a waiting list of more than 18 months exists. However, an applicant must have completed any required discretionary permit review prior to being accepted onto a waiting list.

## **HOW IS AN ALLOCATION ISSUED?**

The allocation is valid at the point it is submitted and paid for. There are two groups of allocations: The first group is reserved for developers of multi-family dwellings, cluster divisions within urban or village reserve lines, mixed use and dwelling units in phased projects. A maximum of 35 percent of the annual allocations is reserved for these types of projects. No single applicant can obtain more than 5 percent of the maximum annual allocations (55 units). If there are not enough applications for dwellings in this category to use up the 35 percent reservation, those unused allocations will be available for the second group.

The second group includes requests for individual dwelling units and cluster divisions outside of urban or village reserve lines. This category will comprise at least 65 percent of the maximum annual allocation. No single applicant can obtain more than 5 percent of the annual allocation (55 units). If there are not enough applications for dwellings in this category to use up the 65 percent reservation, those unused allocations will be available for the first group.

For those communities with waiting lists (Cambria, Cayucos – County Service Area 10A, and Los Osos) the selection of the allocation on

file will happen once an intent-to serve letter is received from the service district involved. Once you are “selected” and informed of your eligibility to file for construction permits, you have 120 days from the date of the notification in which to file a construction permit application. If you fail to submit an application for construction permit within the 120 days, you will lose the allocation and you must re-apply for a future allocation.

## **IF YOUR LOT IS IN A RESIDENTIAL UNIT OWNERSHIP PROJECT**

On August 12, 2008 the BOS adopted some simplification updates which became effective September 11, 2008. The outdated term “planned development” has been replaced with the term “residential unit ownership project”. If your parcel is in one of the pre-approved planned communities listed below, please choose the “SBD” project code on the ***Request for Allocation*** application form: Black Lake Specific Plan, Heritage Ranch, Oak Shores, San Luis Obispo Country Club Estates, San Luis Bay Estates, Monarch Grove, and Cypress Ridge.

## **IF YOUR LOT IS IN CAMBRIA**

Based on the County 2005 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on 12/20/05, the Maximum Annual Allocation shall be set at **0% per fiscal year for the period from July 1, 2006 through June 30, 2009**, resulting in **NO NEW ALLOCATION REQUESTS** other than those accompanied by an intent-to-serve letter from the Cambria Community Services District (CCSD) for transferred meters, and eight (8) grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 2006 through June 30, 2009.

If you have an application on file with the CCSD, a valid “intent-to-serve” letter in addition to the ***Request for Allocation*** application form must be filed with a \$50.00 fee. This fee is to cover the costs associated with tracking the allocation request through the growth management process. New dwelling units in Cambria will be

### **IF YOUR LOT IS IN CAMBRIA (continued)**

allocated from the CCSD's official waiting list for water service. Contact the CCSD for further information. Cambria applicants with "grandfathered" water meters or transferred "grandfathered" water meters are subject to the standard \$91.00 fee per residential unit if your request is not put on a waiting list. If your request is put on a waiting list the fee is \$500.00 per residential and a one time fee of \$91.00. When your allocation is selected \$500.00 of the \$591.00 fee will be applied toward the cost of your construction permit.

### **IF YOUR LOT IS IN CAYUCOS**

If you wish to construct a new dwelling unit in the community of Cayucos (Paso Robles Beach Water Association and Morro Rock Mutual Water Company areas), you must file the ***Request for Allocation*** application form and submit it concurrently with your building permit application. The Cayucos water district will authorize a limited number of new units each year, based on an annual review of the community's remaining water supply. Consult your water district or the Department of Planning and Building for more information.

If you wish to construct a new dwelling unit in the County Service Area 10A portion of the community of Cayucos you must submit an allocation request to be placed on a waiting list. A \$591.00 non-refundable fee must be submitted with the application for each new proposed residential unit. Non-refundable fees for multi-family and planned development projects are \$91.00 + \$500.00 per unit. The fees must be submitted in the form of check, cash, cashier's check or money order made payable to the County of San Luis Obispo.

An allocation application can be made without full construction drawings in order to get on the waiting list for any area where a waiting list of more than 18 months exists. However, an applicant must have completed any required discretionary permit review prior to being accepted onto a waiting list. Consult with

Department of Planning and Building to find out the length of any waiting list.

### **IF YOUR LOT IS IN LOS OSOS**

Building restrictions are currently in effect for the majority of the Los Osos community due to a lack of public sewer services. Applicants must file the ***Request for Allocation*** application form to get onto the allocation waiting list. The allocations remain on the list in the order assigned based on the date and time of the application.

### **IF YOUR LOT IS ON THE NIPOMO MESA**

A maximum annual allocation of 128 new residences for Fiscal Year 2008-2009 reflects a 1.8 % growth rate.

Normally a single applicant can obtain no more than 10% of the annual allocation for the Nipomo mesa (13 units). However, a single applicant can obtain 20% of the total annual allocation (26 units) in the mesa area for multi-family/residential unit ownership projects that have received intent-to-serve letters from the applicable water district AND meet any ONE of the following:

- 1) projects located in Nipomo Olde Towne Design plan area that are smart growth, green build, mixed use, or senior housing
- 2) projects that guarantee long term affordability for at least 35% of the units

OR

- 3) projects that will result in the construction of sections of road improvements that substantially improve traffic issues including those improvements identified on the South County Circulation Study Road Improvement list.

*This guide is designed to provide general information only. It is not a county ordinance or policy and has no legal effect. The general plan and other chapters of the San Luis Obispo County Code are the official regulations of the county. Those documents, rather than this guide, are the only legal basis for assessing how county regulations affect property development*

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